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| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/971,884         | 10/05/2001          | John R. Murphy        | BOSTU 3.0-002 DIV      |

CONFIRMATION NO. 4828

000530  
LERNER, DAVID, LITTENBERG,  
KRUMHOLZ & MENTLIK  
600 SOUTH AVENUE WEST  
WESTFIELD, NJ 07090

FORMALITIES LETTER



\*OC000000007450966\*

Date Mailed: 02/08/2002

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

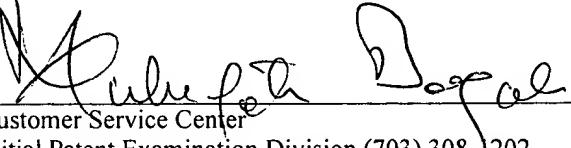
Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



**PLEASE ACKNOWLEDGE RECEIPT  
BY RETURNING THIS CARD**

**Atty Docket No.:** BOSTU 3.0-002 DIV

*AIN - 091471 884*

**Due Date:** 12/30/01

**Title:** IDENTIFICATION OF VIRULENCE DETERMINANTS ACTIVATORS IN PROKARYOTIC PATHOGENS

**Application No.:**

**Documents Filed:**

Diskette

Response to Notice to Comply

Copy of Notice to Comply

Paper Copy of Sequence Listing

Statement to Support Filing



**Sender's Initials:** SPF/sk

**Mailing Date:** December 28, 2001

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: March 1, 2002

Signature:

*Shawn P. Foley*  
(Shawn P. Foley)

0300  
0420  
Docket No.: BOSTU 3.0-002 DIV  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Murphy et al.

Application No.: 09/971,884

Filed: October 5, 2001

For: IDENTIFICATION OF VIRULENCE  
DETERMINANTS ACTIVATORS IN  
PROKARYOTIC PATHOGENS

Group Art Unit: 1648

Examiner: Not Yet Assigned



FF 5

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AMN/OR AMINO ACID  
SEQUENCE DISCLOSURES**

U.S. Patent and Trademark Office  
Box Sequence, P.O. Box 2327  
Arlington, VA 22202

Dear Sir:

This is in response to the Notice mailed February 8, 2002. The initial Notice states that the application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written sequence listing and where applicable, includes no new matter.

Applicants respectfully submit that the statement was filed along with the response mailed December 28, 2001. A copy of the stamped postcard receipt shows that the statement was included along with the other documents. Nonetheless, Applicants are providing a courtesy copy of same.

In view of the foregoing, an indication that the application now complies with the rules governing nucleotide and/or amino acid sequence disclosures, is respectfully requested.

Dated: March 1, 2002

Respectfully submitted,  
By Shawn P. Foley  
Shawn P. Foley  
Registration No.: 33,071  
LERNER, DAVID, LITTENBERG,  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket No: BOSTU 3.0-002 DIV

In re patent application of

MURPHY, JOHN R. et al.

Serial No. 09/971,884

Filed: October 5, 2001

For: IDENTIFICATION OF VIRULENT DETERMINANT ACTIVATORS IN PROKARYOTIC PATHOGENS



**COPY**

STATEMENT TO SUPPORT FILING AND SUBMISSION IN  
ACCORDANCE WITH 37 C.F.R. §§ 1.821-1.825

Assistant Commissioner for Patents  
Washington, D.C. 20231  
Box SEQUENCE

Sir:

In connection with a Sequence Listing submitted concurrently herewith, the undersigned hereby states that:

1. the submission, filed herewith in accordance with 37 C.F.R. § 1.821(g), does not include new matter;
2. the content of the attached paper copy and the attached computer readable copy of the Sequence Listing, submitted in accordance with 37 C.F.R. § 1.821(c) and (e), respectively, are the same; and
3. all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United

Serial No. 09/971,884

States Code and that such willful false statements may jeopardize the validity of the application or any patent resulting therefrom.



Dec. 18, 2001

Date

HARBOR CONSULTING  
Intellectual Property Services  
1500A Lafayette Road  
Suite 262  
Portsmouth, N.H.  
800-318-3021

Respectfully submitted,

James A. Coburn

A handwritten signature in black ink, appearing to read "James A. Coburn".